

Reclamation Manual

Reclamation Acquisition Regulation System

401 DM Addition to FAR & DIAR

PART WBR 1436 -- CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS

WBR 1436

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PART WBR 1436 -- CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS

WBR 1436.603

SUBPART WBR 1436.2-SPECIAL ASPECTS OF CONTRACTING FOR CONSTRUCTION**WBR 1436.201 Evaluation of contractor performance.**

As required by DIAR 1436.201(c), copies of reports shall be sent to AAMS, D-7800.

WBR 1436.203 Government estimate of construction costs.

The estimate shall be prepared in accordance with RI 152.3.3. Revisions to the estimate shall be identified as such, serial numbered, explained, signed, and dated. The estimate shall be controlled on a "need to know" basis until bid opening (sealed bidding) or contract award (competitive proposals).

WBR 1436.204 Disclosure of the magnitude of construction projects.

For projects estimated to exceed \$10,000,000, the estimated price shall be described in terms of the following price ranges:

- (a) Between \$10,000,000 and \$25,000,000.
- (b) Between \$25,000,000 and \$50,000,000.
- © Between \$50,000,000 and \$100,000,000.
- (d) More than \$100,000,000.

SUBPART WBR 1436.5 -- CONTRACT CLAUSES**WBR 1436.508 Other contracts.**

The clause at FAR 52.236-8, Other Contracts, prescribed in FAR 36.508, shall be modified in accordance with instructions in WBR 1452.236-8.

WBR 1436.508-80 Reclamation contract clauses.

(a) The CO shall insert the clause at WBR 1452.236-81, Services of Erecting Engineers -- Bureau of Reclamation, in solicitations and contracts which require the services of an erecting engineer. The CO shall also include in section M of the solicitation (or equivalent section of the solicitation) the estimated quantity to be used by the Government in evaluating offers for erecting engineer services and the manner in which the evaluation will be performed.

(b) As prescribed in WBR 1410.004(b), the CO shall insert the clause at WBR 1452.236-80, Restriction on Submission and Use of Equal Products -- Bureau of Reclamation, when use of a brand name only product is approved for use.

(c) As prescribed in WBR 1431.280(b), the CO shall insert a clause substantially the same as the clause at WBR 1452.231-81, Equipment Ownership and Operating Expense -- Bureau of Reclamation, in solicitations and contracts for construction.

(d) As prescribed in WBR 1432.908-80(a), the CO shall insert the clause at WBR 1452.232-81, Payment for Mobilization and Preparatory Work -- Bureau of Reclamation, in solicitations and contracts for construction when a separate line item for mobilization and preparatory work is included in the Schedule.

(e) As prescribed in WBR 1432.908-80(b), the CO shall insert the clause at WBR 1452.232-82, Other Invoice Requirements -- Bureau of Reclamation, in all solicitations and contracts for construction when the specification contains a "Construction Program" paragraph.

(f) As prescribed in WBR 1432.908-80(c), the CO shall insert the clause at WBR 1452.232-83, Payment for Technical Data -- Bureau of Reclamation, in solicitations and contracts when a separate line item is for technical data is included in the Schedule.

(g) The CO shall insert the clause at WBR 1452.236-82, Order of Precedence - Construction -- Bureau of Reclamation, in all solicitations for construction except those expected to result in a purchase order.

SUBPART WBR 1436.6 -- ARCHITECT-ENGINEER SERVICES**WBR 1436.602 Selection of firms for architect-engineer contracts.****WBR 1436.602-2 Evaluation boards.**

In accordance with DIAR 1436.602-2, HCOs, CCOs, and the Director, TSC are delegated authority to establish permanent or ad hoc evaluation boards including designation of the selection authority (see WBR 1436.602-4).

WBR 1436.602-4 Selection authority.

The selection authority shall normally be the CO unless another official is designated under WBR 1436.602-2.

WBR 1436.603 Collecting data on appraising firms' qualifications.

CCOs are responsible for collecting and maintaining data files required by FAR 36.603.

WBR 1436.604 Performance evaluation.

As required by DIAR 1436.604(c), copies of reports shall be sent to AAMS, D-7800.

WBR 1436.609 Contract clauses.**WBR 1436.609-80 Reclamation contract clauses.**

(a) As prescribed in WBR 1409.507-80(b), the CO shall insert the clause at WBR 1452.236-81,

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WBR 1436.604

Prohibition on Release of Information -- Architect-Engineer Services -- Bureau of Reclamation, in solicitation and contracts under FAR Subpart 36.6 when the statement of work includes delivery of a cost estimate which will be utilized in preparing the official Government cost estimate for the subsequent construction contract.

(b) The CO shall insert the clause at WBR 1452.236-83, Subcontract Award Procedures --Architect-Engineer Contracts -- Bureau of Reclamation, in all contracts for architect-engineer services awarded and funded under the authority of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA).